S.B.CIVIL WRIT PETITION NO.6005/2007

M/s Kishan Engineering Works
v.
Smt. Kamla Jain

Date of Order :: 21st September, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. C.S.Kotwani, for the petitioner.

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By order dated 25.8.2007, learned Presiding Officer, Rent Tribunal, Jodhpur, while accepting an application preferred by the petitioner, summoned Dr. Sanjeev Sanghvi and Dr. O.P.Soni as witnesses.

By challenging the order aforesaid, the contention of counsel for the petitioner is that earlier an application was rejected by the Tribunal to call abovenamed two persons as witnesses, therefore, under the order impugned learned Tribunal erred while summoning them for their examination.

I do not find any substance in the contention so raised. It is well settled that under the Rajasthan Rent Control Act, 2001 the prime criteria for the Tribunal is to adhere the principles of natural justice and for that purpose it may adopt its own procedure to meet the ends of justice. The affidavits sworn-in by the persons who are summoned

under the order dated 25.8.2007 have already been taken on record, therefore, the Tribunal rightly summoned them for their examination with an opportunity to the petitioner for cross examination. No error, therefore, is committed by the Tribunal that may warrant interference of this Court under Article 227 of the Constitution of India.

The writ petition is accordingly dismissed.

(GOVIND MATHUR),J.

Kkm/ps.